

1 JUDGE ROBERTS. LASNIK
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,) NO. CR20-083RSL
8 Plaintiff,)
9 vs.) ORDER GRANTING STIPULATED
10) MOTION TO CONTINUE TRIAL AND
11) PRETRIAL MOTIONS DUE DATE
DUNCAN GIBSON,)
Defendant.)

)

12 Based on the stipulated motion to continue the trial date and extend the due date
13 for pretrial motions, the Court makes the following findings of fact and conclusions of
14 law:

15 1. The ends of justice served by granting this continuance outweigh the best
16 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

17 2. Proceeding to trial absent adequate time for the parties to prepare for trial
18 would result in a miscarriage of justice, particularly in view of the current COVID-19
19 pandemic and this Court's General Order 11-20, recognizing the difficulties with
20 impaneling of jury of a fair cross-section of the community in this District at this time.
21 18 U.S.C. § 3161(h)(7)(B)(i).

22 3. The defense needs additional time to explore issues of some complexity,
23 including all relevant issues and defenses applicable to the case, which would make it
24 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself

within the time limits established by the Speedy Trial Act and currently set for this case.
18 U.S.C. § 3161(h)(7)(B)(ii).

4. Taking into account the exercise of due diligence, a continuance is necessary to allow the United States and the defendant the reasonable time for effective preparation for trial. 18 U.S.C. § 3161(h)(7)(B)(iv).

NOW, THEREFORE,

IT IS ORDERED that the trial date is continued from September 28, 2020, to March 22, 2021.

IT IS FURTHER ORDERED that the resulting period of delay from the date of this Order to the new trial date of March 22, 2021, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

FURTHERMORE, IT IS ORDERED that pretrial motions are due no later than January 22, 2021.

DONE this 27th day of August, 2020.

Mrs Casnik

**Robert S. Lasnik
United States District Judge**

Presented by:

s/ *Christopher M. Sanders*
Attorney for Duncan Gibson
Office of the Federal Public Defender

s/ *Ye-Ting Woo*
Assistant United States Attorney
Approved electronically

**ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE DATE - 2
(Duncan Gibson; CR20-083RSL)**

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